IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 1877 of 2003

Between:

K.Seshadri Naidu, S/o. K.V.Ratnaiah,
R/o 184, Road No.4, T.N.Colony, Mahendra Hills.,
Secunderabad.

..... PETITIONER

AND

-

1 The Deputy Superintendent of Police.
Shadnagar, Mahaboobnagar District.
2 The Station House Officer,
Balanagar, Shadnagar Mandal,
Mahaboobnagar District.
3 The Asst. Director of Mines & Geology.,
Mahaboobnagar, Mahaboobnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of Writ of Mandamus declaring the action of the respondents in not taking any action against the alleged involvement of villagers in stoppage of Mining Operations in pursuance to the lease granted vide G.O.Ms.No.247, industries & commerce department, dt.7-8-1999 and not providing protection for operating the mine as arbitrary, illegal, unjust and unconstitutional.

Counsel for the Petitioner: SMT.N.SHOBA

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORDER:

The petitioner was granted a mining lease for Quartz & Feldspar at Gouthapur Village, Balnagar mandal, Mahabubnagar District for a period of 20 years. The lease commenced on 7.8.1999 and it is valid till up to 2019. The grievance of the petitioner is that when some of the villagers were interfering with the mining activities, the petitioner gave complaints on 17.8.2002 and 21.1.2003 to the second respondent seeking protection, in vain. In this writ petition he seeks a declaration that the action of the respondents in not taking action against the villagers as illegal and arbitrary.

The Sub-Inspector of Police, P.S. Balanagar, Mahabubnagar District filed counter affidavit *inter alia* stating that after receiving the complaint dated 17.8.2002 adequate protection was provided to the mining activities and that after receiving the second complaint on 21.1.2003 the Sub-Inspector visited the site and warned the villagers. No reply affidavit is filed controverting the counter averments.

In view of the uncontroverted averments and the respondents provided adequate security and protection to the petitioner's mines, no orders as prayed for can be passed in this writ petition. Accordingly, the Writ Petition is dismissed. No costs.

_____

V.V.S. RAO, J.

8th July, 2005

Js

To

1 The Deputy Superintendent of Police, Shadnagar, Mahaboobnagar

District.

2 The Station House Officer, Balanagar, Shadnagar Mandal, Mahaboobnagar District.

3 The Asst. Director of Mines & Geology., Mahaboobnagar,

Mahaboobnagar District.

4 Two CCs to G.P. Home, High Court Buildings, Hyderabad.

5 2 CD copies.